



faegredrinker.com

Susan M. Sharko
Partner
susan.sharko@faegredrinker.com
973-549-7350 direct

Faegre Drinker Biddle & Reath LLP
600 Campus Drive
Florham Park, New Jersey 07932
+1 973 549 7000 main
+1 973 360 9831 fax

Via ECF

July 17, 2024

Honorable Rukhsanah L. Singh, U.S. Magistrate Judge
United States District Court- District of NJ
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Court Room 7W
Trenton, NJ 08608

***Re: In re: Johnson & Johnson Talcum Powder Products Marketing, Sales
Practices and Products Liability Litigation - MDL 2738***

Dear Magistrate Judge Singh:

The Johnson & Johnson Defendants submit the enclosed Order to dismiss with prejudice cases listed on the attached **Exhibit A** for their failure to show good cause in response to the Court's Order to Show Cause entered on June 11, 2024 (ECF 32811) regarding Plaintiffs' failure to serve a Plaintiff Profile Form ("PPF").

As Your Honor is aware, this Court originally ordered all Plaintiffs to submit PPFs on MDL-Centrality by dates certain in the Amended Plaintiff's Profile Form Order (ECF 27291). Pursuant to that Order, the cases listed on the enclosed **Exhibit A** (2016/2017 cases) were required to submit PPFs by October 16, 2023. However, these Plaintiffs failed to file their PPFs by that deadline and to date have not provided Defendants with a PPF.

Counsel for these Plaintiffs have received notice on MDL-Centrality (if registered) and via e-mail (whether registered or not) informing them that they had failed to serve a PPF. *Pro se* Plaintiffs (there are two) were sent notice via regular mail and certified mail, return receipt requested. Pursuant to the Court's Order on adjudication of cases which fail to serve PPFs (ECF 29032), these Plaintiffs were thereafter listed in a filing on March 1, 2024 (ECF 29168) further notifying them of their failure to provide a PPF to Defendants by the above noted deadline. These same Plaintiffs were then listed in a filing on April 1, 2024 (ECF 30612), again noting their failure to provide a PPF to Defendants and that their continued failure to do so would

potentially result in dismissal of their matter.

As a result of their failure to provide Defendants with a PPF as required by the Court's Order, on June 11, 2024, the Plaintiffs enumerated in **Exhibit A** were subject to an Order to Show Cause why their case should not be dismissed with prejudice for their discovery violation (ECF 32811). None of the Plaintiffs in the attached list have demonstrated good cause as to why their case should not be dismissed with prejudice. These Plaintiffs continue to disregard the Orders of the Court despite multiple notices. They have been given ample time and numerous opportunities to correct their discovery violations, yet they have consistently failed to do so. A dismissal with prejudice is appropriate given these circumstances.

Before submitting this request, we again verified that the outstanding discovery has still not been served.

Accordingly, Defendants respectfully request Your Honor enter the attached Order and dismiss the cases listed in **Exhibit A** with prejudice.

Thank you for your consideration of these matters.

Respectfully,

/s/ Susan M. Sharko

Susan M. Sharko

**FAEGRE DRINKER BIDDLE & REATH
LLP**

SMS/scg

Encl: (1)

Cc: Leigh O'Dell (via email)
Michelle Parfitt (via email)
All counsel of record (via ECF)

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

IN RE: JOHNSON & JOHNSON
TALCUM POWDER PRODUCTS
MARKETING, SALES PRACTICES
AND PRODUCTS LIABILITY
LITIGATION

This relates to all cases in Exhibit A

MDL No. 3:16-md-02738

**[PROPOSED] ORDER TO DISMISS
CASES LISTED ON EXHIBIT A
SUBJECT TO PLAINTIFF
PROFILE FORM ORDER TO
SHOW CAUSE**

THIS MATTER, having been brought before the Court by Defendants Johnson & Johnson and LLT Management LLC, f/k/a LTL Management LLC, (“Defendants”), for entry of an order dismissing with prejudice cases listed in the attached **Exhibit A** for their failure to show good cause as to why their case should not be dismissed with prejudice in response to the Order to Show Cause entered on June 11, 2024 (ECF 32811); and for good cause shown;

IT IS on this ____ day of _____, 2024, **ORDERED** that:

The cases listed on the attached **Exhibit A** are hereby dismissed with prejudice for Plaintiffs’ failure to show good cause why their case should not be dismissed with prejudice in response to the Order to Show Cause entered by the Court on June 11, 2024 (ECF 32811) regarding Plaintiffs’ PPF deficiency.

Hon. Rukhsanah L. Singh
U.S. Magistrate Judge

EXHIBIT A

Row #	Case Name	Plaintiff Firm(s)	Current Cause #
1	Flowe, Sherry	Ashcraft & Gerel	3:17-cv-10963
2	Burns, Margaret	Ashcraft & Gerel	3:17-cv-11259
3	Gaspard, Ethel	Ashcraft & Gerel	3:17-cv-11274
4	Scott, Shilinda	Ashcraft & Gerel	3:17-cv-11283
5	Lumas, Tanashiska	Barrett Law Group, P.A.	3:16-cv-06694
6	Smith, Viola	Barrett Law Group, P.A.	3:17-cv-07021
7	Rico, Amy M.	Baum, Hedlund, Aristei & Goldman, P.C.	3:17-cv-11342
8	Rappold, Allan	Becnel Law Firm, LLC	3:17-cv-04596
9	Clark, Patricia	Burns Charest LLP // Burns Charest LLP	3:17-cv-05696
10	McDeavitt, Cynthia	Burns Charest LLP // Burns Charest LLP	3:17-cv-07283
11	Smith, Deanna	Cates Mahoney, LLC	3:17-cv-10747
12	Collins, Thomas Michael	Conley Griggs Partin LLP	3:17-cv-13253
13	Natera, Erica R	Eichen, Crutchlow, Zaslow & McElroy, LLP	3:17-cv-13546
14	Fowler, Karol	Fox and Farley	3:17-cv-08148
15	Bueno, Alicia	Girardi & Keese	3:17-cv-12500
16	Sanders, Margarette	Girardi & Keese	3:17-cv-12505
17	Blank, Angel Lucille	Girardi & Keese	3:17-cv-13795
18	Webb, Karyl	Goldenberg Law, PLLC	3:17-cv-07681
19	Davis, Shawn	Goldenberg Law, PLLC	3:17-cv-10175
20	Boos, Helen	Goldenberg Law, PLLC	3:17-cv-11143
21	Bentley, Cathleen	Goldenberg Law, PLLC	3:17-cv-11156
22	White, Sheena	Hart McLaughlin & Eldridge	3:17-cv-11322
23	Seymour, Yokita	Hart McLaughlin & Eldridge	3:17-cv-11329
24	Hollifield, Sophie	Hart McLaughlin & Eldridge	3:17-cv-11333
25	Culley, Lisa	Hart McLaughlin & Eldridge	3:17-cv-11337
26	Benford, Ashley W.	Hart McLaughlin & Eldridge	3:17-cv-11339
27	Jackson, Paula	Law Office of Eusi H. Phillips // Law Office of Marion D. Floyd	3:16-cv-07488
28	Brown, Bertha	Lenze Kamerrer Moss, PLC	3:17-cv-04340
29	Hunt, Sylvia	Massimo & Panetta, P.C.	3:17-cv-08070
30	Smith, Deborah	McGrath Law Firm PA	3:17-cv-02382
31	Collins, Nettie	Morris Bart, LLC	3:17-cv-03919
32	Chanthapanya, Davahn	Motley Rice, LLC	3:17-cv-05853
33	Arenz, Dana	Motley Rice, LLC	3:17-cv-06074
34	Austin, Sheronda	Motley Rice, LLC	3:17-cv-10615
35	Hunsaker, Pamela	Motley Rice, LLC	3:17-cv-12059
36	Douglas, Maureen S.	Motley Rice, LLC	3:17-cv-12296
37	Luna, Jessica Nicole	Motley Rice, LLC	3:17-cv-12324
38	Brigman, Barbara	Poulin, Willey, Anastopoulo, LLC // Steckler Gresham Cochran	3:17-cv-08135
39	Ikemoto, Joan Lee	Poulin, Willey, Anastopoulo, LLC // Steckler Gresham Cochran	3:17-cv-08141
40	Johanson, Roberta	Pro Se	3:16-cv-07427
41	Smoller, Arthur	Pro Se	3:16-cv-07427
42	Ford, Teresa	Ross Feller Casey, LLP	3:17-cv-02370
43	Dalton, Connie	Ross Feller Casey, LLP	3:17-cv-09074

Row #	Case Name	Plaintiff Firm(s)	Current Cause #
44	Sherlock, Tina	Sangisetty Law Firm, LLC	3:17-cv-02751
45	Eidson, Carol	Sangisetty Law Firm, LLC	3:17-cv-02753
46	Bullock, Cardell	Simmons Hanly Conroy	3:17-cv-05779
47	Rosensteel, Crystal M	Simmons Hanly Conroy	3:17-cv-05781
48	Brown, Sharon	Simmons Hanly Conroy	3:17-cv-11231
49	Mojica, Kristin	Steckler Gresham Cochran	3:17-cv-08455
50	Tolliver, Paul	Steve Merritt Law	3:17-cv-02976
51	Isaacs, Victor	Summers & Johnson, P.C.	3:17-cv-11676
52	Bustos, Arthur L.	The Alarid Law Firm, P.C.	3:17-cv-08290
53	Pringle, Maryladene	The Simon Law Firm, PC	3:17-cv-06766
54	Demelia, Maylou	The Simon Law Firm, PC	3:17-cv-10971
55	Smith, Cassie	The Simon Law Firm, PC	3:17-cv-11212